

1

2

3

4

5

6

7

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JEHU HAND,

Case No. 1:20-cv-00784-BAM (PC)

12

Plaintiff,

**ORDER DENYING PLAINTIFF'S MOTIONS
FOR PRELIMINARY INJUNCTION AS
MOOT, WITHOUT PREJUDICE TO RE-
FILING**

13

YOUNG, *et al.*,

(ECF Nos. 3, 11, 12, 16)

15

Defendants.

17

forma pauperis in this civil rights action pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971).

20

Currently pending before the Court are several motions for preliminary injunction and related motions for expedited and emergency hearings on those motions. (ECF Nos. 3, 11, 12, 16.) The objective of all of the motions is Plaintiff's release from prison and placement on supervised release to protect him from the COVID-19 virus. (*Id.*)

24

On February 4, 2021, Plaintiff's address was updated pursuant to a Notice of Change of Address filed in Case No. 1:19-cv-01329-HBK (Doc. No. 27). The Court takes judicial notice of that filing, which indicates that Plaintiff is now receiving mail at a P.O. Box not associated with a federal correctional institution.

28

1 As it appears Plaintiff has been released from custody, the Court finds that Plaintiff's
2 pending motions related to his requests for emergency release from custody are now moot. To
3 the extent Plaintiff is reincarcerated, the motions are denied without prejudice to re-filing. The
4 Court will screen Plaintiff's complaint in due course.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Plaintiff's motion for emergency release, (ECF No. 3), is DENIED as moot, without
7 prejudice to re-filing;
- 8 2. Plaintiff's first amended emergency motion for expedited preliminary injunction, (ECF
9 No. 11), is DENIED as moot, without prejudice to re-filing;
- 10 3. Plaintiff's motion to set hearing on the emergency motion for preliminary injunction,
11 (ECF No. 12), is DENIED as moot; and
- 12 4. Plaintiff's declaration in support of first amended emergency motion for expedited
13 release, (ECF No. 16), is DENIED as moot.

14
15 IT IS SO ORDERED.

16 Dated: February 18, 2021

17 _____
18 /s/ Barbara A. McAuliffe
19 UNITED STATES MAGISTRATE JUDGE

20
21
22
23
24
25
26
27
28